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LETTER DATED 24 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you as follows:

1. On 19 April 1998 an Iraqi fishing boat went missing while it was fishing inside Iraqi territorial waters. It had a crew of five Iraqi fishermen, namely: Taha Mahmud Sabhan, Mahmud Shukr Sha'ban, Majid Qasim al-Nakhilah, Muhammad Mahmud Sabhan and Jasim Mahmud Sabhan. It subsequently transpired that gale-force winds in the area in question had swept the boat to a point close to Kuwaiti territorial waters where it was approached and seized by an armed Kuwaiti patrol craft. The crew members were taken in a cabin cruiser to a place they are unable to identify, and they were interrogated, severely beaten and tortured. They were asked about the situation in Iraq, and hostile remarks were made about the country. They were then released at the Iraqi border near the plantations, but only after all their official documents had been confiscated.

2. At 1310 hours on 16 June 1998 two Kuwaiti boats equipped with PKT machine-guns were seen near buoy 17 on the Iraqi side of the demilitarized zone. They fired on an Iraqi coast guard patrol that was inside Iraqi territorial waters before heading back towards the Kuwaiti side in the Ra's al-Kayid area.

I request you to intervene with Kuwait with a view to halting such violations and such provocative and unwarranted actions, which have become more frequent in recent times, given that they are in violation of the Charter of the United Nations and of public international law and that they pose a threat to the sovereignty and security of a State Member of the United Nations.

In accordance with the principle of State responsibility, I affirm the legally established right of the Republic of Iraq to seek lawful compensation for the damage done to it and to its nationals and their property by the perpetration of these acts.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative